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Legal Department

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August 23, 1996

Mrs. Blanca S. Bayo
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399

RE: Docket No. 960916-TP

Dear Mrs. Bayo:

Enclosed are an original and fifteen copies of BellSouth Telecommunications, Inc.'s Objections to ACSI's First Request for Production of Documents. Please file these documents in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely,

Nancy B. White
Nancy B. White (BW)

ACK _____

AFA _____ Enclosures

APP _____ cc: All Parties of Record

CAF _____ A. M. Lombardo

CMU _____ R. G. Beatty

CTR _____ W. J. Ellenberg

EAG _____

LEG 1 _____

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OPB _____

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SEC 1 _____

WAS _____

OTH _____

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CERTIFICATE OF SERVICE
DOCKET NO. 960916-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by Federal Express this 23rd day of August, 1996 to the following:

Staff Counsel
Florida Public Service
Commission
2540 Shumard Oak Boulevard
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Nancy B. White (pd)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of)
)
Petition by American)
Communications Services, Inc.)
and American Communications)
Services of Jacksonville, Inc.)
for Arbitration with BellSouth)
Telecommunications, Inc.)
pursuant to the)
Telecommunications Act of 1996)

Docket No. 960916-TP

Filed: August 23, 1996

BELLSOUTH TELECOMMUNICATIONS, INC.'S
OBJECTIONS TO ACSI'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

BellSouth Telecommunications, Inc. ("BellSouth" or "Company"), hereby files, pursuant to Rule 25-22.034 and 25-22.035, Florida Administrative Code, and Rules 1.340 and 1.280(b), Florida rules of Civil Procedure, hereby submits the following Objections to American Communication Services, Inc. and American Communications Services of Jacksonville, Inc.'s ("ACSI") First Request for Production of Documents to BellSouth.

The objections stated herein are preliminary in nature and are made at this time for the purpose of complying with the ten-day requirement set forth in procedural orders issued by the Florida Public Service Commission ("Commission") in other arbitration dockets. Should additional grounds for objection be discovered as BellSouth prepares its Answers to the above-referenced set of interrogatories, BellSouth reserves the right to supplement, revise, or modify its objections at the time that it serves its Answers on ACSI. Moreover, should BellSouth determine that a Protective Order is necessary with respect to any of the material requested by ACSI, BellSouth reserves the right to file a motion with the Commission seeking such an order

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at the time that it serves its Answers on ACSI.

GENERAL OBJECTIONS

BellSouth makes the following General Objections to ACSI's First Request for Production of Documents which will be incorporated by reference into BellSouth's specific responses when its Answers are served on ACSI.

1. BellSouth objects to the requests to the extent that such requests seek to impose an obligation on BellSouth to respond on behalf of subsidiaries, affiliates, or other persons that are not parties to this case on the grounds that such requests are overly broad, unduly burdensome, oppressive, and not permitted by applicable discovery rules.

2. BellSouth has interpreted ACSI's requests to apply to BellSouth's regulated intrastate operations in Florida and will limit its Answers accordingly. To the extent that any request is intended to apply to matters other than Florida intrastate operations subject to the jurisdiction of the Commission, BellSouth objects to such request as irrelevant, overly broad, unduly burdensome, and oppressive.

3. BellSouth objects to each and every request and instruction to the extent that such request or instruction calls for information which is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.

4. BellSouth objects to each and every request insofar as the request is vague, ambiguous, overly broad, imprecise, or utilizes terms that are subject to multiple interpretations but

are not properly defined or explained for purposes of these interrogatories. Any Answers provided by Bellsouth in response to ACSI's requests will be provided subject to, and without waiver of, the foregoing objection.

5. BellSouth objects to each and every request insofar as the request is not reasonably calculated to lead to the discovery of admissible evidence and is not relevant to the subject matter of this action. BellSouth will attempt to note each instance where this objection applies.

6. BellSouth objects to ACSI's discovery requests, instructions and definitions, insofar as they seek to impose obligations on BellSouth which exceed the requirements of the Florida Rules of Civil Procedure or Florida Law.

7. BellSouth objects to providing information to the extent that such information is already in the public record before the Florida Public Service Commission.

8. BellSouth objects to each and every request, insofar as it is unduly burdensome, expensive, oppressive, or excessively time consuming as written.

9. BellSouth objects to each and every request to the extent that the information requested constitute "trade secrets" which are privileged pursuant to Section 90.506, Florida Statutes. To the extent that ACSI's interrogatories request proprietary confidential business information which is not subject to the "trade secrets" privilege, BellSouth will make such information available to counsel for ACSI pursuant to an appropriate Protective Agreement, subject to any other general or

specific objections contained herein.

OBJECTIONS TO SPECIFIC REQUESTS

Subject to, and without waiver of, the foregoing general objections, BellSouth enters the following specific objections with respect to ACSI's requests:

10. BellSouth objects to Request Nos. 1 and 2 for on the grounds that the issue of whether and which interconnection agreements are available to other parties is the subject of Docket No. 960290-TP. Moreover, BellSouth objects to these requests on the basis that the requests are overly broad, oppressive and unduly burdensome. In addition, BellSouth objects to these requests on the basis that the requests do not seek information relevant to the issues in this docket nor are they reasonably calculated to lead to the discovery of admissible evidence.

11. BellSouth objects to portions of Request No. 3 (d-g) on the grounds that the items therein were not requested in ACSI's Petition for Arbitration. Therefore, those portions of the request are irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Moreover, BellSouth objects to the follow-up questions in Request No. 3 on the grounds that this part of the Request to the extent it seeks BellSouth to perform additional work on its cost studies. BellSouth refers ACSI to General Objection No. 6.

12. BellSouth objects to Requests No. 6, 7, 11, 12(1), 14 and 15 on the grounds that the documents requested are not relevant and are not calculated to lead to the discovery of

admissible evidence. Moreover, the requests are overly broad, unduly burdensome, and oppressive. In addition, the requests seek highly sensitive competitive information.

Respectfully submitted this 23rd day of August , 1996.

BELLSOUTH TELECOMMUNICATIONS, INC.

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